

**REMARKS**

Claims 1-3 and 5-7 are pending; and of these, claim 1 has been amended, and claims 2-3 and 5-7 have been cancelled by this Paper. Claims 8-9 are new. Thus, claims 1 and 8-9 are presented for examination. Reconsideration of the instant application is respectfully requested in view of this Paper.

The Examiner has objected to claim 1 as not providing underlining to show additional text added to the claim by Applicants' amendment dated November 6, 2009. The relevant text is as follows and contains the proper indications: "and a back pressure valve whereby fluctuations of the pressure in the liquids on the downstream side of the back pressure valve are absorbed in said mixing line." The indications are provided here as doing so in the above listing of claims would not be appropriate since such changes are already of record. Accordingly, it is respectfully requested that the objection be withdrawn.

The Examiner has rejected claims 5, 6 and 7/5 under 35 USC 112, second paragraph, on the basis of the assertion that such claims are indefinite for reasons provided at pages 3-4 of the Office Action. As shown hereinabove, Applicants have canceled claims 5 and 6, thereby making the rejection thereof moot.

The Examiner has rejected claim 1 under 35 USC 102(b) as being anticipated by Lubitzsch (US 4,219,038) (Lubitzsch), and under 35 USC 103(a) as being unpatentable over Lubitzsch in view of Krueger (US 4,171,191); claims 2-3,

7/2 and 7/3 have been rejected under Section 103 as being unpatentable over Lubitzsch in view of Krueger, and further in view of Bartlett, Jr. (US 6,280,692).

With respect to Applicants' claims as amended, as shown hereinabove, the Examiner's rejections are respectfully traversed.

As shown hereinabove, Applicants have further clarified Applicants' claim 1 to recite the structure provided in claims 5 and 6, now canceled. Such subject matter having been indicated as being allowable, and claim 1 having been amended, as indicated, to provide further clarification of Applicants' construction, it is respectfully submitted that claim 1 patentably distinguishes over Lubitzsch, Krueger and Bartlett, Jr., either when taken alone or in combination. Accordingly, allowance of claim 1, and claim 2 which depends therefrom, is respectfully requested.

Claims 8-9 are new, and recite the structure of Applicants' FIG 4, which obtains the advantageous effects demonstrated by Applicants' FIG 5 relative to Applicants' FIG 6, the latter FIG 6 illustrating the effect of the absence of Applicants' back pressure valve and its placement, as recited; and therefore, the inability to obtain stabilized flow and supply when compared to Applicants' recited construction. Still further, Applicants' construction recites the features of now canceled claim 5, which had previously been indicated as being allowable. Accordingly, it is respectfully requested that Applicants' claims 8-9 also patentably distinguish over Lubitzsch, Kreuger and Bartlett, Jr., either when taken

alone or in combination.

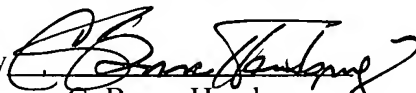
Applicants respectfully request a (1) one month extension of time for responding to the Office Action. The fee of \$130 for the extension is provided for in the charge authorization presented in the PTO Form 2038, Credit Card Payment form, provided herewith.

If there is any discrepancy between the fee(s) due and the fee payment authorized in the Credit Card Payment Form PTO-2038 or the Form PTO-2038 is missing or fee payment via the Form PTO-2038 cannot be processed, the USPTO is hereby authorized to charge any fee(s) or fee(s) deficiency or credit any excess payment to Deposit Account No. 10-1250.

In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited.

Respectfully submitted,

JORDAN AND HAMBURG LLP

By 

C. Bruce Hamburg

Reg. No. 22,389

Attorney for Applicants

and,

By 

Brian H. Buck

Reg. No. 48,776

Attorney for Applicants

Jordan and Hamburg LLP  
122 East 42nd Street  
New York, New York 10168  
(212) 986-2340